

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

RICHARD PHILIPPE,

Defendant

) Criminal No. 1:19-cr-10328-FDS  
)  
) Violations:  
)  
) Count One: Felon in Possession of Ammunition  
) (18 U.S.C. § 922(g)(1))  
)  
) Count Two: Transportation and Receipt of  
) Firearms Acquired Outside of State of  
) Residency  
) (18 U.S.C. § 922(a)(3))  
)  
) Forfeiture Allegation:  
) (18 U.S.C. § 924(d); 28 U.S.C. § 2461(c))

SUPERSEDING INDICTMENT

COUNT ONE

Felon in Possession of Ammunition  
(18 U.S.C. § 922(g)(1))

The Grand Jury charges:

On or about July 5, 2019, in Taunton, in the District of Massachusetts, the defendant,

RICHARD PHILIPPE,

knowing that he was previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, ammunition, that is, nineteen rounds of .45 caliber ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

Transportation and Receipt of Firearms Acquired Outside of State of Residency  
(18 U.S.C. § 922(a)(3))

The Grand Jury further charges:

Between on or about May 6, 2019 and on or about June 27, 2019, in the District of Massachusetts, and elsewhere, the defendant,

RICHARD PHILIPPE,

not being a licensed importer, manufacturer, dealer and collector of firearms, did transport into, and receive in, the Commonwealth of Massachusetts, where he then resided, a Smith & Wesson pistol with serial number NBN8093, a Glock pistol with serial number BHDH478, and a North American Arms revolver with serial number L081849, said firearms having been purchased and otherwise obtained by the defendant outside the Commonwealth of Massachusetts.

All in violation of Title 18, United States Code, Section 922(a)(3).

FORFEITURE ALLEGATION  
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

The Grand Jury further finds:

1. Upon conviction of any offense in violation of Title 18, United States Code, Section 922, set forth in Counts One and Two, the defendant,  
  
RICHARD PHILIPPE,  
  
shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offenses, including without limitation:

a. nineteen rounds of .45 caliber ammunition.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant –

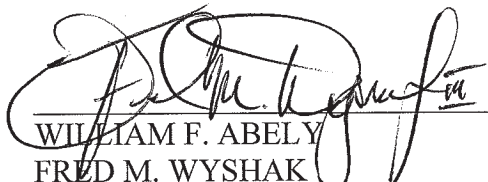
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

A TRUE BILL

  
FOREPERSON

  
WILLIAM F. ABELY  
FRED M. WYSHAK  
ASSISTANT UNITED STATES ATTORNEYS  
DISTRICT OF MASSACHUSETTS

District of Massachusetts: JULY 8, 2021  
Returned into the District Court by the Grand Jurors and filed.

  
DEPUTY CLERK

7/8/2021  
11:30 a.m.